*OMB No. 2010-0032*
*Expiration Date: 06/30/03*

National Environmental Performance Track
U.S. Environmental Protection Agency

# A03-0028 6-25-02

*Application Form*

Dow West Virginia Operations, South Charleston Site
Name of facility*

The Dow Chemical Company
Name of parent company (if any)

437 MacCorkle Avenue SW
Street address

Street address (continued)

South Charleston, West Virginia 25303
City/State/Zip code

Give us information about your contact person for the National Environmental Performance Track Program.

Name *Mr./Mrs./Ms./Dr.* Joseph A. Amos

Title Regulatory Affairs Leader

Phone (304) 747-3623

Fax (304) 747-4777

E-mail amosja@dow.com

Facility/Company Website www.dowwvo.com

* If you are applying for multiple facilities, you must call 1-888-339-PTRK(7875)

*OMB No. 2010-0032*
*Expiration Date: 06/30/03*

# *Section A*

***Tell us about your facility.***

***Why do we need this information?***

EPA needs background information on your facility to evaluate your application.

***What do you need to do?***

- Provide background information on your facility.
- Identify your environmental requirements.

*1* What do you do or make at your facility?

The South Charleston Site, part of The Dow Chemical Company's West Virginia Operations, is a manufacturing facility that produces several different specialty chemicals, industrial solvents, intermediates and plastics. Several of the Plants (Units) are ISO-9002 or equivalent registered.

*2* List the North American Industrial Classification System (NAICS) codes that you use to classify business at your facility.

NAICS
325199 325193 _____

*3* Does your company meet the Small Business Administration definition of a small business for your sector?

☐ Yes ☒ No

*4* How many employees (full-time equivalents) currently work at your facility? If you checked "Yes" in question 3 and have fewer than 50 employees at your facility, then you are considered a "small facility" by the Performance Track Program.

☐ Fewer than 50
☐ 50-99
☐ 100-499
☒ 500-1,000
☐ More than 1,000

*5* Complete the Environmental Requirements Checklist on pages 32-38 of the instructions and enclose it with your application.

*6* Optional: Is there anything else you would like to tell us about your facility? Do you participate in other voluntary programs at the local, tribal, State, or Federal level?

At the Corporate Level:
The South Charleston Site currently operates as part of Union Carbide Corporation, a wholly-owned subsidiary of The Dow Chemical Company (TDCC) following the merger of the two companies in February, 2001. TDCC and certain subsidiaries, including UCC, are collectively referred to as "Dow."
The Dow Chemical Company started on a focussed journey in 1994 with a corporate Strategic Blueprint and Environment, Health &Safety (EH&S) Vision as defined by the Corporate Operating Board. A key element of the EH&S vision is: Dow's EH&S performance is top quartile relative to premier companies."
The corporate Environmental, Health & Safety Policy states that "At Dow, protecting people and the environment will be a part of everything we do and every decision we make. Each employee has a responsibility in ensuring that our products and operations meet applicable government or Dow standards, whichever is more stringent. Our goal is to eliminate all injuries, prevent adverse environmental and health impacts, reduce wastes and emissions and promote resource conservation at every stage of the life cycle of our products. We will report our progress and be responsive to the public."
Dow is working toward a "Vision of Zero" -- no accidents, no injuries, and no harm to the environment. The Responsible Care® Guiding Principles apply to Dow globally. EH&S performance goals for 2005 were established, many elements of which are environmentally related.

At the Business Level:
A concerted effort to have the global business value centers take accountability for their EH&S performance has yielded tremendous progress in our quest towards this vision of zero. Increased understanding of EH&S Business Value beyond simple cost avoidance helps to create opportunities for voluntary programs that go beyond compliance. Integrated EH&S and Business Strategies allow each Business Value Center to set targets and track performance towards the 2005 Goals. The businesses represented at the South Charleston Site work with the Site Leadership Team to ensure alignment of the performance goals and objectives.

At the Site Level:
The South Charleston Site is one of the three "legs" of the Dow West Virginia Operations. It is a multi-business site with five businesses being represented: Dow Automotive, Performance Chemicals, Hydrocarbons and Energy, Industrial Chemicals, and Environmental Operations.
The Site, a developed land area of 236 acres, is a manufacturing facility that produces over 500 different specialty chemicals and plastics, and serves as a re-distribution facility for chemicals manufactured at other locations. Most of these products are intermediates that are used in other processes or are sold to customers who convert them into finished products. Initial operations at the Site began in 1925. As a site, Dow West Virginia Operations is aligned with the corporate and business goals for EH&S. Specific site targets exist and appropriate strategies are being developed to achieve the EH&S 2005 goals while contributing positively to the corporate EH&S performance. Environmental performance is a significant part of this public commitment.

As part of West Virginia Operations, the site continues to particpate in several state, local, and community voluntary programs. These include Household Hazardous Waste Collection campaigns, Recycle / Reuse activities ("Re-Store"). The odor control project at the Holz Impoundment Pond received Environmental Stewardship and Innovative Technology Awards in 2001 from the West Virginia Business Environmental Leadership Council.

Bayer Corporation, a tenant at the site, owns and operates the Polyols production plant which was formerly owned by Union Carbide. Bayer corporation facilities and activities are not included in this application.

***Why do we need this information?***

Facilities need to have an operating Environmental Management System (EMS) that meets certain requirements.

***What do you need to do?***

- Confirm that your EMS meets the Performance Track requirements.
- Tell us if you have completed a self-assessment or have had a third-party assessment of your EMS.

Read the EMS requirements on page 9-12 of instructions.
Tell us if your EMS meets these requirements for:

| | | |
|---|---|---|
| *1* | Environmental policy | ☒ Yes ☐ No |
| *2* | Planning | ☒ Yes ☐ No |
| *3* | Implementing and operation | ☒ Yes ☐ No |
| *4* | Checking and corrective action | ☒ Yes ☐ No |
| *5* | Management review | ☒ Yes ☐ No |
| *6* | Have you done a comprehensive review of all activities conducted at your facility that could impact the environment? (i.e., have you done an aspect analysis?) | ☒ Yes ☐ No |
| *7* | Have you classified your aspects based on their potential harm to the environment, on community concerns, and/or on other objective factors? (i.e., have you determined your significant aspects?) | ☒ Yes ☐ No |
| *8* | When did you last update your aspect analysis? (mo/yr) | November 2001 |
| *9* | Have you completed at least one EMS cycle (plan-do-check-act)? | ☒ Yes ☐ No |
| *10* | Did this cycle include both an EMS and a compliance audit? | ☒ Yes ☐ No |
| *11* | Have you completed an objective self-assessment or third-party assessment of your EMS? | ☒ Yes ☐ No |

If yes, what method of EMS assessment did you use?

| Self-assessment | Third-party assessment |
|---|---|
| ☐ GEMI | ☐ ISO 14001 Certification |
| ☐ CEMP | ☒ Other Union Carbide's Corporate Audit Program with Arthur D. Little oversight |
| ☒ Other ACC's Responsible Care® and Dow Audit Program | |

*OMB No. 2010-0032*
*Expiration Date: 06/30/03*

***Why do we need this information?***

Facilities need to show that they are committed to improving their environmental performance. This means that you can describe past achievements and will make future commitments.

***What do you need to do?***

Refer to the Environmental Performance Table in the instructions to answer questions 1 and 2.

# *Section C*

***Tell us about your past achievements and future commitments.***

*Part 1* **You must report past achievements for at least two environmental aspects, and you must choose these aspects from the Environmental Performance Table on pages 29-31 of the instructions.** Please quantify each of your aspects using the units listed for that aspect in the Environmental PTrack Information Hotline at 1-888-339-PTRK.

**Note to small facilities:** If you are a small facility, you must report past achievements for only one environmental aspect.

## *First achievement*

| | | |
|---|---|---|
| *1* What aspect have you selected from the Table on page 29-31? | AIr Emissions - Emissions of Ozone-Depleting Gases | |
| *2* What units are you using to quantify this aspect? (See Table, page 29-31.) | Pounds (Lbs.) | |
| | PAST | CURRENT |
| *3* List the past annual quantity of the aspect (from two years ago) and the current annual quantity of the aspect (from the most recent year for which you have data). | 8,857 Lbs. in Year 1999<br>5,644 Lbs. in Year 2000 | 2,779 Lbs. in Year 2001 |
| *4* What are the years for which you are reporting these quantities? | 1999, 2000 | 2001 |
| *5* Estimate your past normalizing factor (Page 18 of the Instructions will help you calculate this.) | 424,342 / 423,865 = 1.001 for 1999<br>424,342 / 397,537 = 1.067 for 2000 | 1.0 |
| *6* What is your normalizing factor based on (e.g., production, employment)? | Production - Pounds of Product | |
| *7* You reported an improvement in the quantity of the aspect in Question 3. How did you achieve this improvement? | The reduction was achieved in part as a result of implementing several pollution prevention initiatives. These include increased preventive maintenance and increased monitoring on CFC-containing equipment through the switch to a new external contractor with certified technicians. Other initiatives including extension of leak detection and repair (LDAR) to heavy liquid streams, equipment reliability for pump seals, contributed to the performance results. | |

***Second achievement***

| | | |
|---|---|---|
| *1* What aspect have you selected from the Table on page 29-31? | Accidental Releases - Release History for Loss Of Primary Containment (LOPC) | |
| *2* What units are you using to quantify this aspect? (See Table, page 29-31.) | Number of Releases (LOPC's) | |
| | PAST | CURRENT |
| *3* List the past annual quantity of the aspect (from two years ago) and the current annual quantity of the aspect (from the most recent year for which you have data). | 74 LOPC's in Year 1999<br>61 LOPC's in Year 2000 | 41 LOPC's in Year 2001 |
| *4* What are the years for which you are reporting these quantities? | 1999<br>2000 | 2001 |
| *5* Estimate your past normalizing factor (Page 18 of the Instructions will help you calculate this.) | 1.0 | 1.0 |
| *6* What is your normalizing factor based on (e.g., production, employment)? | Number of Operating Plants (Units) | |
| *7* You reported an improvement in the quantity of the aspect in Question 3. How did you achieve this improvement? | This is a result of implementing an Accidental Release Prevention Program which began with Union Carbide and has continued under Dow as a Loss Of Primary Containment (LOPC) Reduction intiative. The program involves conducting vulnerability assessment, management of change, root cause investigation of incidents (and near misses), and learning experience reporting. This remains an on-going continuous improvement program with goals towards 2005. | |

***Third achievement***

| | | |
|---|---|---|
| *1* What aspect have you selected from the Table on page 29-31? | Accidental Releases - Vulnerability and Potential for Releases | |
| *2* What units are you using to quantify this aspect? (See Table, page 29-31.) | sq ft (of vulnerable underwater river crossing transfer lines) | |
| | PAST | CURRENT |
| *3* List the past annual quantity of the aspect (from two years ago) and the current annual quantity of the aspect (from the most recent year for which you have data). | 7200 sq ft of vulnerable lines | 7200 sq ft of new, well-coated, cathodically protected lines |
| *4* What are the years for which you are reporting these quantities? | 2000 | 2001 |
| *5* Estimate your past normalizing factor (Page 18 of the Instructions will help you calculate this.) | 1.0 | 1.0 |
| *6* What is your normalizing factor based on (e.g., production, employment)? | Number of river crossing transfers per year | |
| *7* You reported an improvement in the quantity of the aspect in Question 3. How did you achieve this improvement? | As part of an equipment maintenance and renewal project for material transfer, 11 underwater river crossing lines were replaced in year 2000. These pipes ran under the Kanawha river from North Charleston Distribution Terminal to the main production facilities at the Site. Pipelines were at least 30 years old, had a relatively high potential for substantial undetected loss/leak due to corrosion and/or physical catastrophic failure. New pipelines were installed with thicker walls, improved materials of construction, new coatings, new cathodic protection, and physically protected within trenches. Project cost was approximately $2.5MM.<br><br>Also, one additional transfer line from the Island to the Mainland was relocated from an underwater river crossing to a new above-ground transfer line over the upper island bridge. This greatly reduced the potential for failure and improved our ability to detect any potential loss. | |

*Part 2* **You must make future commitments for at least four environmental aspects, and you must choose these aspects from the Environmental Performance Table on pages 29-31 of the Instructions.** The aspects you select for your future commitments should be related to the objectives and targets in your EMS. Where possible, they also should be identified as having a significant environmental impact in your EMS. No more than two of your aspects can be from the same environmental category. If you're not sure how your objectives and targets fit into our aspects or whether your aspects are significant, call the PTrack Information Hotline at 1-888-339-PTRK.

Once you have chosen your four environmental aspects, then fill in all the necessary information for these aspects in the tables on pages 7-10 of this form. Please quantify each of your aspects using the units listed for that aspect in the Environmental Performance Table. Each table that you must fill in corresponds to one of the environmental aspects you have chosen.

We will assume that your performance commitments are based on a constant production or employment level. If you would like to base your commitment on changing production or employment, please fill out optional questions 6a and 6b.

**Note to small facilities:** If you are a small facility, you must report future commitments for only two environmental aspects.

# Section C, continued

***First commitment***

| | | |
|---|---|---|
| *1* What aspect have you selected from the Table on pages 29-31? | Waste - Total Solid Waste | |
| *2* What units are you using to quantify this aspect? | Pounds (lbs.) | |
| *3a* Is this aspect considered significant in your EMS? | ☒ Yes ☐ No | |
| *3b* If no, please explain why you believe this aspect should be included as a performance commitment. | | |
| | CURRENT | FUTURE |
| *4* List the current annual quantity of the aspect and the annual quantity you are committing to achieve by the end of the third year of your participation in Performance Track. | 490,000 | 370,000 |
| *5* What are the years for which you are reporting these quantities? | 2001 | 2004 |
| *6a* (Optional) What is your future normalizing factor. (Page 21 of the Instructions will help you calculate this.) | 1.0 | 1.0 |
| *6b* (Optional) What is your normalizing factor based on (e.g., production, employment)? | Production | |
| *7* You committed to an improvement in the quantity of this aspect in Question 4. How do you plan to achieve this improvement? | Current production of by product surfactant exceeds market, and excess must be burned as waste. ***Detailed evaluation of all aspects of the plant operations resulting in waste generation, including raw material yield and maintenance practices, will be undertaken using Sixth Sigma Methodology. Operating and maintenance procedures will be revised to reduce production of off-grade material through source reduction. Implementation of the findings of the assessment is expected to reduce the quanitity of material being generated as waste by about 25%.*** | |
| *8a* Are you subject to Federal, State, tribal, or local regulatory requirements for this aspect? | ☐ Yes ☒ No | |
| *8b* If yes, please list those requirements, including the quantitative limits and compliance deadlines that apply to you. Explain how your commitment exceeds requirements. | | |

***Second commitment***

| | | | |
|---|---|---|---|
| *1* | What aspect have you selected from the Table on pages 29-31? | Waste - Hazardous Sold Waste | |
| *2* | What units are you using to quantify this aspect? | Pounds (lbs.) | |
| *3a* | Is this aspect considered significant in your EMS? | ☒ Yes ☐ No | |
| *3b* | If no, please explain why you believe this aspect should be included as a performance commitment. | | |
| | | CURRENT | FUTURE |
| *4* | List the current annual quantity of the aspect and the annual quantity you are committing to achieve by the end of the third year of your participation in Performance Track. | 1.8MM lbs/yr | 1.2MM lbs/yr |
| *5* | What are the years for which you are reporting these quantities? | 2001 | 2004 |
| *6a* | (Optional) What is your future normalizing factor. (Page 21 of the Instructions will help you calculate this.) | 1.0 | 1.0 |
| *6b* | (Optional) What is your normalizing factor based on (e.g., production, employment)? | Production | |
| *7* | You committed to an improvement in the quantity of this aspect in Question 4. How do you plan to achieve this improvement? | A Process and Operational Review will be conducted to identify and implement the process to achieve significant reduction in the amount of waste at the PolyVinyl Acetate (PVA) Plant. It is expected that the reduction will be accomplished by waste segregation, waste to fuel, and improved process control. The expected yield is a waste reduction of approximately 600,000 lbs. | |
| *8a* | Are you subject to Federal, State, tribal, or local regulatory requirements for this aspect? | ☐ Yes ☒ No | |
| *8b* | If yes, please list those requirements, including the quantitative limits and compliance deadlines that apply to you. Explain how your commitment exceeds requirements. | | |

***Third commitment***

| | | | |
|---|---|---|---|
| *1* | What aspect have you selected from the Table on pages 29-31? | Accidental Releases - Loss Of Primary Containment (LOPC) | |
| *2* | What units are you using to quantify this aspect? | Number of Releases | |
| *3a* | Is this aspect considered significant in your EMS? | ☒ Yes ☐ No | |
| *3b* | If no, please explain why you believe this aspect should be included as a performance commitment. | | |
| | | CURRENT | FUTURE |
| *4* | List the current annual quantity of the aspect and the annual quantity you are committing to achieve by the end of the third year of your participation in Performance Track. | 41 LOPC's in Year 2001 | 10 LOPC's in Year 2004 |
| *5* | What are the years for which you are reporting these quantities? | 2001 | 2004 |
| *6a* | (Optional) What is your future normalizing factor. (Page 21 of the Instructions will help you calculate this.) | 1.0 | 1.0 |
| *6b* | (Optional) What is your normalizing factor based on (e.g., production, employment)? | Production | |
| *7* | You committed to an improvement in the quantity of this aspect in Question 4. How do you plan to achieve this improvement? | LOPC reduction focus is part of the EH&S Sub-Team activities at the Plant / Unit level using Six Sigma Methodology. Improved performance relative to accidental releases is a significant part of the 2005 Site and Business goals. The continuous improvement efforts will consist of vulnerability assessments, conciousness raising and workshops for the workteams, root cause investigation and learning experience reporting (including "near misses"), development of action plans and follow-through, and active practice of balance of consequence. Appropriate business support for facility upgrade projects to meet or exceed the performance targets will result from vulnerability assessments and action plans. | |
| *8a* | Are you subject to Federal, State, tribal, or local regulatory requirements for this aspect? | ☐ Yes ☒ No | |
| *8b* | If yes, please list those requirements, including the quantitative limits and compliance deadlines that apply to you. Explain how your commitment exceeds requirements. | | |

***Fourth commitment***

| | | |
|---|---|---|
| ***1*** What aspect have you selected from the Table on pages 29-31? | Energy Use - Total Energy Use and<br>Water Use - Total Water Use | |
| ***2*** What units are you using to quantify this aspect? | BTUs and<br>Gallons | |
| ***3a*** Is this aspect considered significant in your EMS? | ☒ Yes ☐ No | |
| ***3b*** If no, please explain why you believe this aspect should be included as a performance commitment. | | |
| | CURRENT | FUTURE |
| ***4*** List the current annual quantity of the aspect and the annual quantity you are committing to achieve by the end of the third year of your participation in Performance Track. | 516 x $10^9$ BTUs<br>2.3 x $10^9$ Gallons | 440 x $10^9$ BTUs<br>1.9 x $10^9$ Gallons |
| ***5*** What are the years for which you are reporting these quantities? | 2001 | 2004 |
| ***6a*** (Optional) What is your future normalizing factor. (Page 21 of the Instructions will help you calculate this.) | 1.0 | 1.0 |
| ***6b*** (Optional) What is your normalizing factor based on (e.g., production, employment)? | Production | |
| ***7*** You committed to an improvement in the quantity of this aspect in Question 4. How do you plan to achieve this improvement? | VME process modification enhancements to the distillation process allowing removal from service of one column while maintaining production rates. This modification will reduce water and steam requirements for this process by 14% each. | |
| ***8a*** Are you subject to Federal, State, tribal, or local regulatory requirements for this aspect? | ☐ Yes ☒ No | |
| ***8b*** If yes, please list those requirements, including the quantitative limits and compliance deadlines that apply to you. Explain how your commitment exceeds requirements. | | |

*OMB No. 2010-0032*
*Expiration Date: 06/30/03*

# Section D

***Tell us about your public outreach and reporting.***

***Why do we need this information?***

Facilities need to demonstrate their commitment to public outreach and performance reporting. You should have appropriate mechanisms in place to identify community concerns, to communicate with the public, and to provide information on your environmental performance.

***What do you need to do?***

- Describe your approach to public outreach.
- List three references who are familiar with your facility.

*1* How do you identify and respond to community concerns?

This is accomplished in several ways:

- Through the South Charleston Community Advisory Panel (CAP)

- Active membership in numerous local community outreach groups, including emergency response organizations

- Our good working relationship with the regulatory community

*2* How do you inform community members of important matters that affect them?

Community Advisory Panel

Local Emergency Planning Committee (KP LEPC)

"Our Dow" TV Program

"Around Dow" Newsmagazine

Open House and Safety Fair

*3* How will you make the Performance Track Annual Performance Report available to the public?

☒ Website www.dowwvo,com

☐ Newspaper

☐ Open Houses

☒ Other

- "Our Dow" TV Program
- "Around Dow" Newsmagazine
- West Virginia Operations Public Report

## *Section D, continued*

*4* Are there any ongoing citizen suits against your facility? ☐ Yes ☒ No

If yes, describe briefly in the right-hand column.

*5* List references below

| | *Organization* | *Name* | *Phone number* |
|---|---|---|---|
| *Representative of a Community/ Citizen Group* | City Of South Charleston | Mayor Richard Robb | (304) 744-5301 |
| | Community Advisory Panel | Rev. Frank Shomo | (304) 342-7351 |
| | | Mr. Ken Poling | (304) 768-0154 |
| *State/tribal/local regulator* | WVDEP - Division of Water Quality | Mr. Richard Hackney | (304) 757-1693 |
| | WVDEP - Division of Waste Management | Mr. Carrol Cather | 1-800-307-8710 |
| | WVDEP - Division of Waste Management | Mr. Chris Gatens | (304) 558-5393 |
| | WVDEP - Division of Air Quality | Mr. Robert Keatley | (304) 926-3727 |
| | USEPA Region III | Mr. Denis Zelinski | (215) 814-3431 |
| *Other community/local reference (e.g., emergency management official or business associate)* | Kanawha Putnam LEPC | Mr. J. R. Bias | (304) 744-1838 |
| | South Charleston Fire Department | Chief C. W. Sigman | (304) 744-0079 |
| | West Virgina Manufacturers Association | Ms. Karen Price | (304) 342-2123 |

*OMB No. 2010-0032*
*Expiration Date: 06/30/03*

# *Section E*

## *Application and Participation Statement.*

On behalf of South Charleston Site, West Virginia Operations
[my facility],

I certify that

I have read and agree to the terms and conditions for Application and Participation in the National Environmental Performance Track, as specified in the *National Environmental Performance Track Program Guide* and in the *Application Instructions*;

- I have personally examined and am familiar with the information contained in this Application, including the Environmental Requirements Checklist. The information contained in this Application is, to the best of my knowledge and based on reasonable inquiry, true, accurate, and complete, and I have no reason to believe the facility would not meet all program requirements;
- My facility has an environmental management system (EMS), as defined in the Performance Track EMS requirements, including systems to maintain compliance with all applicable Federal, State, tribal, and local environmental requirements in place at the facility, and the EMS will be maintained for the duration of the facility's participation in the program;
- My facility has conducted an objective assessment of its compliance with all Federal, State, tribal, and local environmental requirements, and the facility has corrected all identified instances of potential or actual noncompliance;
- Based on the foregoing compliance assessment and subsequent corrective actions (if any were necessary), my facility is, to the best of my knowledge and based on reasonable inquiry, currently in compliance with applicable Federal, State, tribal, and local environmental requirements.

I agree that EPA's decision whether to accept participants into or remove them from the National Environmental Performance Track is wholly discretionary, and I waive any right that may exist under any law to challenge EPA's acceptance or removal decision.

I am the senior facility manager and fully authorized to execute this statement on behalf of the corporation or other legal entity whose facility is applying to this program.

| | |
|---|---|
| Signature/Date | |
| Printed Name/Title | *Mr./Mrs./Ms./Dr.* Peter J. Berner / Site Leader, WVO |
| Phone Number/E-mail | (304) 747-4696 / PBerner@dow.com |
| Facility Name | South Charleston Site, Dow West Virginia Operations |
| Facility Street Address | 437 MacCorkle Avenue SW |
| City/State/Zip Code | South Charleston, West Virginia 25303 |

## Paperwork Reduction Act Notice

The public reporting and recordkeeping burden for this collection of information is estimated to average 40 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

The National Environmental Performance Track is a U.S. Environmental Protection Agency program. Please direct inquiries to 1-888-339-PTRK (7875) or e-mail ptrack@indecon.com.

To submit your application:

1) E-mail the completed application to ptrack@indecon.com,

   **and**

2) Fax the completed an signed Section E (**not** the entire application) to (617) 354-0463.

If you cannot e-mail the application, mail a hard copy of the entire completed application to:

The Performance Track Information Center
c/o Industrial Economics Incorporated
2067 Massachusetts Avenue
Cambridge, MA 02140

# *Environmental Requirements Checklist*

Use the Environmental Requirements Checklist to answer Question 5 in *Section A, Tell us about your facility*. This Checklist will help you identify the *major* Federal, State, tribal, and local environmental requirements that apply at your facility, but it is not an exhaustive list of all environmental requirements that may be applicable at your facility.

Fill in your facility information below and enclose the completed Checklist with your application.

**Air Pollution Regulations**

*Check all that apply*

- ☒ 1. National Emission Standards for Hazardous Air Pollutants (40 CFR 61)
- ☒ 2. Permits and Registration of Air Pollution Sources
- ☒ 3. General Emission Standards, Prohibitions, and Restrictions
- ☐ 4. Control of Incinerators
- ☒ 5. Process Industry Emission Standards
- ☒ 6. Control of Fuel Burning Equipment
- ☒ 7. Control of VOCs
- ☒ 8. Sampling, Testing, and Reporting
- ☒ 9. Visible Emissions Standards
- ☒ 10. Control of Fugitive Dust
- ☒ 11. Toxic Air Pollutants Control
- ☐ 12. Vehicle Emissions Inspections and Testing

*Other (you must list these if applicable)*

- ☒ 13. Federal, State, tribal, or local regulations not listed above.
  40 CFR 63
  WVDEP- DAQ Regulations 2, 4, 10, 13, 27
- ☒ 14. ID Numbers (specify whether State or Federal).
  State 039-00004 (Title V Facility)
  Federal 880026 (ORIS Code)

**Hazardous Waste Management Regulations**

*Check all that apply.*

- ☒ 1. Identification and listing of hazardous waste (40 CFR 261)
  - ☒ - Characteristic waste
  - ☒ - Listed waste
- ☒ 2. Standards Applicable to Generators of Hazardous Waste (40 CFR 262)
  - ☒ - Manifesting
  - ☒ - Pre-transport requirements
  - ☒ - Record keeping/reporting
- ☐ 3. Standards Applicable to Transporters of Hazardous Waste (40 CFR 263)
  - ☐ - Transfer facility requirements
  - ☐ - Manifest system and record-keeping
  - ☐ - Hazardous waste discharges
- ☐ 4. Standards for Owners and Operators of TSD Facilities (40 CFR 264)
  - ☐ - General facility standards
  - ☐ - Preparedness and prevention
  - ☐ - Contingency plan and emergency procedures
  - ☐ - Manifest system, record-keeping, and reporting
  - ☐ - Groundwater protection
  - ☐ - Financial requirements
  - ☐ - Use and management of containers
  - ☐ - Tanks
  - ☐ - Waste piles
  - ☐ - Land treatment
  - ☐ - Incinerators
- ☒ 5. Interim Standards for TSD Owners and Operators (40 CFR 265)
- ☐ 6. Interim Standards for Owners and Operators of New Hazardous Waste Land Disposal Facilities (40 CFR 267)
- ☒ 7. Administered Permit Program (Part B) (40 CFR 270)

*Other (you must list these if applicable)*

- ☒ 8. Federal, State, tribal, or local regulations not listed above
  State-Administered Hazardous Waste Program.
  Operation, maintenance, and record-keeping for a Boiler Industrial Furnace (BIF) in accordance with applicable regulations (Interim Status).
- ☒ 9. ID Numbers (specify whether State or Federal).
  State WVD005005483

**Hazardous Materials Management**

*Check all that apply.*

- ☒ 1. Control of Pollution by Oil and other Hazardous Substances (33 CFR 153)
- ☒ 2. Designation of Reportable Quantities and Notification of Hazardous Materials Spill (40 CFR 302)
- ☒ 3. Hazardous Materials Transportation Regulations (49 CFR 172-173)
- ☒ 4. Worker Right-to-Know Regulations (29 CFR 1910.1200)
- ☒ 5. Community Right-to-Know Regulations (40 CFR 350-372)
- ☒ 6. Underground Storage Tank Regulations (40 CFR 280-282)

*Other (you must list these if applicable)*

- ☐ 7. Federal, State, tribal, or local regulations not listed above.
- ☐ 8. ID Numbers (specify whether State or Federal).

**Solid Waste Management**

*Check all that apply.*

- ☐ 1. Criteria for Classification of Solid Waste Disposal Facilities and Practices (40 CFR 257)
- ☐ 2. Permit Requirements for Solid Waste Disposal Facilities
- ☐ 3. Installation of Systems of Refuse Disposal
- ☒ 4. Solid Waste Storage and Removal Requirements
- ☒ 5. Disposal Requirements for Special Wastes

*Other (you must list these if applicable)*

- ☒ 6. Federal, State, tribal, or local regulations not listed above.
  - Operation and maintenance of Water Treatment Plant for River Water intake for treatment and distribution through the site conveyance piping and cooling water discharges.
  - Operation, maintenance, and monitoring of an Impoundment Pond (Holz) at the Technical Center, for sludge and ash deposits, in accordance with WV regulations for Industrial Solid Waste Disposal Surface Impoundment.
- ☒ 7. ID Numbers (specify whether State or Federal).
  Solid Waste / NPDES Permit No. 0115355

**Water Pollution Control Requirements**

*Check all that apply.*

- ☒ 1. Oil Spill Prevention Control and Countermeasures (SPCC) (40 CFR 112)
- ☒ 2. Designation of Hazardous Substances (40 CFR 116)
- ☒ 3. Determination of Reportable Quantities for Hazardous Substances (40 CFR 117)
- ☒ 4. NPDES Permit Requirements (40 CFR 122)
- ☐ 5. Toxic Pollutant Effluent Standards (40 CFR 129)
- ☒ 6. General Pretreatment Regulations for Existing and New Sources (40 CFR 403)
  Name of POTW South Charleston Waste Treatment Plant
  ID # of POTW NPDES # WV0023116
- ☒ 7. Organic Chemicals Manufacturing Point Source Effluent Guidelines and Standards (40 CFR 414)
- ☒ 8. Inorganic Chemicals Manufacturing Point Source Effluent Guidelines and Standards (40 CFR 415)
- ☒ 9. Plastics and Synthetics Point Source Effluent Guidelines and Standards (40 CFR 416)
- ☒ 10. Water Quality Standards
- ☒ 11. Effluent Limitations for Direct Dischargers
- ☒ 12. Permit Monitoring/Reporting Requirements
- ☐ 13. Classifications and Certifications of Operators and Superintendents of Industrial Wastewater Plants
- ☒ 14. Collection, Handling, and Processing of Sewage Sludge
- ☒ 15. Oil Discharge Containment, Control and Cleanup
- ☒ 16. Standards Applicable to Indirect Discharges (Pretreatment)

*Other (you must list these if applicable)*

- ☒ 17. Federal, State, tribal, or local regulations not listed above.
  - Operation and maintenance of Water Treatment Plant for River Water intake for treatment and distribution through the site conveyance piping and cooling water discharges.
  - Operation and maintenance of sanitary sewer facilities in accordance with West Virginia Health Department regulations and City of South Charleston Sewer Ordinance.
- ☒ 18. ID Numbers (specify whether State or Federal).
  NPDES # WV0000078

**Drinking Water Regulations**

*Check all that apply.*

- ☐ 1. Underground Injection and Control Regulations, Criteria and Standards (40 CFR 144, 146)
- ☐ 2. National Primary Drinking Water Standards (40 CFR 141)
- ☐ 3. Community Water Systems, Monitoring and Reporting Requirements (40 CFR 141)
- ☐ 4. Permit Requirements for Appropriation/Use of Water from Surface or Subsurface Sources
- ☐ 5. Underground Injection Control Requirements
- ☐ 6. Monitoring, Reporting and Record keeping Requirements for Community Water Systems

*Other (you must list these if applicable)*

- ☒ 7. Federal, State, tribal, or local regulations not listed above.
  Potable water is purchased and distributed for use at the site; hence, not directly covered under the above regulatory areas. Routine preventive maintenance and checks are performed on backflow control devices, using qualified inspectors, for compliance with the Kanawha County's "Cross-Connection and Backflow Prevention Control Program". The site complies with the American Water Works Association Standard for "Disinfection of Water Mains" to applicable new or repaired piping systems.
- ☐ 8. ID Numbers (specify whether State or Federal).

**Toxic Substances**

*Check all that apply.*

- ☒ 1. Manufacture and Import of Chemicals, Record-keeping and Reporting Requirements (40 CFR 704)
- ☒ 2. Import and Export of Chemicals (40 CFR 707)
- ☒ 3. Chemical Substances Inventory Reporting Requirements (40 CFR 710)
- ☒ 4. Chemical Information Rules (40 CFR 712)
- ☒ 5. Health and Safety Data Reporting (40 CFR 716)
- ☒ 6. Pre-Manufacture Notifications (40 CFR 720)
- ☒ 7. PCB Distribution Use, Storage and Disposal (40 CFR 761)
- ☒ 8. Regulations on Use of Fully Halogenated Chlorofluoroalkanes (40 CFR 762)
- ☐ 9. Storage and Disposal of Waste Material Containing TCDD (40 CFR 775)

*Other (you must list these if applicable)*

- ☐ 10. Federal, State, tribal, or local regulations not listed above.
- ☒ 11. ID Numbers (specify whether State or Federal).
  Dunn & Bradstreet Number 00-500-5483

**Pesticide Regulations**

*Check all that apply.*

- ☐ 1. FIFRA Pesticide Use Classification (40 CFR 162)
- ☐ 2. Procedures Storage and Disposal of Pesticides and Containers (40 CFR 165)
- ☐ 3. Certification of Pesticide Applications (40 CFR 171)
- ☐ 4. Pesticide Licensing Requirements
- ☐ 5. Labeling of Pesticides
- ☐ 6. Pesticide Sales, Permits, Records, Application and Disposal Requirements
- ☐ 7. Disposal of Pesticide Containers
- ☐ 8. Restricted Use and Prohibited Pesticides

*Other (you must list these if applicable)*

- ☒ 9. Federal, State, tribal, or local regulations not listed above.
  The site is not directly covered under the above regulatory areas. Application or use of pesticides, etc. is contracted through certified applicators. Systems are in place for contractor pre-qualification and to ensure that appropriate work practices are utilized by these qualified contractors as they perform the contracted services at the site.
- ☐ 10. ID Numbers (specify whether State or Federal).

**Environmental Clean-Up, Restoration, Corrective Action**

- ☐ 1. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund). Please identify and include date of Record of Decision.

- ☐ 2. RCRA Corrective Action. Please provide date of RCRA/HSWA permits that require corrective action.

- ☒ 3. Other Federal, State, tribal, or local environmental clean-up, restoration, corrective action regulations not listed above. Please include date of requirement.

  The site is currently operating under a voluntary December 15, 1999 agreement with the USEPA Region III on a Facility Lead Program with respect to the Solid Waste Management Units at the South Charleston Plant.

**Facility Name** South Charleston Plant, Dow West Virginia Operations

**Facility Location:** 437 MacCorkle Avenue SW, South Charleston, West Virginia 25303